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CLERK OF SUPERIOR COURT
BRYAN COUNTY, GEORGIA
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JUL 30, 2024 03:46 PM

Rebecca Crowe, Clerk
Bryan County, Georgia

IN THE SUPERIOR COURT OF BRYAN COUNTY
STATE OF GEORGIA

JOEL BERNIER PASKAUSKAS, III

)

Plaintiff,

)

vs.

)

) CIVIL ACTION NO. _____

BRYAN COUNTY, GA

)

Defendants.

)

COMPLAINT

COMES NOW, the Plaintiff, Joel Bernier Paskauskas, III, and brings this lawsuit against Defendant Bryan County, Ga., for Bryan County Fire and Emergency Services' violation of plaintiff's and county residents' First Amendment rights by blocking comments and disabling posts on official government social media pages.

Parties

1. Plaintiff, Joel Bernier Paskauskas, III, is a resident of Richmond Hill, GA, located in Bryan County, Ga.
2. Defendant Bryan County ("County") is a county governmental in the state of Georgia.
3. Bryan County Fire and Emergency Services ("BCFES") is a department or agency of Defendant Bryan County, Ga.

Jurisdiction and Venue

4. Jurisdiction and venue are proper in this Court as the events occurred within Bryan County, Georgia, and involve government entities operating within this jurisdiction.

Violations of First Amendment

5. On July 18, 2024, Bryan County posted a message to county residents on its official Facebook page. Ex. A
6. The County disabled all comments or abilities to interact with the post. Ex. A
7. On July 26, 2024, Bryan County Fire and Emergency Services posted a message to county residents on its official Facebook page. Ex. B
8. After some comments were made, BCFES disabled comments on that post. Ex. B
9. At no time did the posts offer residents other avenues to engage on these public messages.
10. These actions followed recent public outcry regarding understaffing at BCFES and potential loss of life or property due to the staffing shortages.
11. The posts were related to the staffing concerns and situational report after a weather event.
12. By disabling comments on posts related to topics that were under scrutiny by local residents, the County engaged in restriction and regulation of viewpoint-related speech.
13. By disabling comments on posts related to specific topics of importance to county residents, the County engaged in restriction and regulation of content-based speech.
14. The county's viewpoint and content discrimination denied residents the opportunities to interact with official government messages or leaders in a public forum.
15. The First Amendment guarantees that government will not prohibit the free exercise of speech or to petition the government for redress of grievances.
16. Official government social media pages are public forums.

Evidence

Screenshots: Documenting the blocked comments and disabled posts.

Correspondence: Emails and messages sent to the Bryan County Government and Emergency Services requesting explanation and reinstatement of commenting rights. Ex. C and D

Prayers for Relief

WHEREFORE, Plaintiff respectfully offers that without Court intervention this violative behavior is likely to recur and requests that this Court grant the following relief to ensure government accountability and transparency:

1. a finding that the defendant county violated the First Amendment rights of its citizens
2. injunctive relief compelling defendant to reinstate citizens' commenting rights on the Bryan County Government and Bryan County Fire and Emergency Services Facebook pages

Respectfully submitted this 30th day of July, 2024

/s/ Joel Bernier Paskauskas, III
Plaintiff and Bryan County resident

Pro se

EXIBITA

Screenshot of a Facebook page for "Bryan County, Georgia".

Intro:

- Page - Government organization
- 51 North Courthouse St, Pembroke, GA, United States, Georgia
- (912) 653-5252
- bryancountyga.gov
- Open now

Photos:

See all photos

Recent posts:

- Bryan County, Georgia (July 18 at 6:33 PM)
We are aware of some information circulating on social media that may raise concerns about the current state of the Bryan County Emergency Services Department. While we respect the right of individuals to express themselves freely, we want to address and dispel any inaccuracies to reassure our community that our Fire, EMS, and EMA divisions are fully prepared and committed to serving and protecting you.
Bryan County deeply values the sacrifices of its emergency services empl... See more
- Bryan County, Georgia (July 17 at 9:31 AM)

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· More · Meta © 2024

[https://www.facebook.com/photo/?fbid=934698202031146&set=a.231689032342070&_ctf_\[0\]=AZXBKBZQMUsbFAmE6lgWpIPHk9OJFOFlSixjsDKPZynqmnQ3tY9RrRdlo5Aa579-IRIOAq7H6gRK7hax--PfcGcDgJVruzwF0E7Ez9-Hgmi3bjEewgIR6...](https://www.facebook.com/photo/?fbid=934698202031146&set=a.231689032342070&_ctf_[0]=AZXBKBZQMUsbFAmE6lgWpIPHk9OJFOFlSixjsDKPZynqmnQ3tY9RrRdlo5Aa579-IRIOAq7H6gRK7hax--PfcGcDgJVruzwF0E7Ez9-Hgmi3bjEewgIR6...)

EXHIBIT B

Chrome File Edit View History Bookmarks Profiles Tab Window Help

89% Tue Jul 30 3:06PM

(2) Facebook facebook.com/BryanCountyEmergencyServices

ADP BCFES BC CADS CGPT FB Imagetrend IG JM Web LinkedIn MakeShift TRW Main X USAA

Search Facebook Home Notifications

Bryan County Fire & Emergency Services

Saving Lives and Protecting Property of Bryan County!

i Page · Government organization

15759 Highway 144, Richmond Hill, GA, United States, Georgia

(912) 756-1982

bryancountyemergencyservices@gmail.com

bryancountyfireems

bryancountyga.org/government/departments-a-g/emergency-services

Always open

Price Range · \$

Photos See all photos

TORNADO WATCH VS. WARNING WATCH

Severe Weather Outlook - Thursday May 24, 2024

5 DE MAYO

Bryan County Fire & Emergency Services July 26 at 9:44 PM

This evening (July 26, 2024) a fast moving thunderstorm moved into the area around 1830. A tornado watch was issued for southeast Bryan County. Following that, a tornado warning was issued around 1845 hours and was in place until 1930 hours. The warning was briefly extended until 2000 hours but was cancelled before it expired.

As a result of the storm, BCFES was only dispatched to one storm related call for a large pine limb down on Montauk Drive. It was quickly removed with no damage to property or life.

No other damage has been reported.

91 21 comments 11 shares

Like Share

Bryan County Fire & Emergency Services limited who can comment on this post.

View more comments

We The People of Bryan County

Thank you for the after event update. However, the lack of timely communication across all channels, especially social media, during a severe weather event is unacceptable. Residents rely on multiple sources for critical updates, and it's crucial that ... See more

3d Like Reply 12

Elena Kelly Nock

We The People of Bryan County yes I rely on the severe weather alerts on my phone! We had a tornado come thru 2 years ago as well as straight line winds last year

This is an enormous failure of our safety!... See more

Exhibit C

Bryan County, Georgia

Sat 8:04 AM

Dear Bryan County,

I am reaching out to express my concern about the recent decision to block comments on your Facebook posts. As a citizen of Bryan County, I believe it is crucial for the county government to maintain open communication with the community. Blocking comments on social media pages, which serve as public forums, raises significant First Amendment issues and can be seen as a violation of our rights to free speech.

Transparency and accountability are essential for maintaining trust between the government and its citizens. I urge you to reconsider this decision and allow comments on your posts. Open dialogue is vital for addressing the concerns and needs of our community effectively.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,
Joel Paskauskas

Hi, thanks for contacting us. This message feature is not one of Bryan County's main channels of communication and we may take some time to answer you. If you have a question, are requesting service, would like to make a payment, or need to address any other issue with the county more quickly, please call 912-653-5252 (Pembroke) or 912-756-3177 (Richmond Hill).

Bryan County Fire & Emergency Services

Sat 8:04 AM

Good morning,

I am writing to express my concern regarding the recent action to block comments on your Facebook posts. As a resident of Bryan County, I believe that open communication is essential for ensuring the safety and well-being of our community. Social media is a critical tool for sharing information and receiving feedback from the public.

Blocking comments on posts related to emergency services, which are of utmost importance to public safety, is troubling. This action could be seen as a violation of our First Amendment rights, as government social media pages are often considered public forums.

I urge you to reconsider this decision and allow comments on your posts to facilitate transparent and effective communication with the community.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,
Joel B. Paskauskas, III

Hi, thanks for contacting us. We've received your message and appreciate you reaching out.

Exhibit D

Found in Sent - Personal Mailbox

You sent this 3 days ago.

Follow Up...

Joel B. Paskauskas III July 27, 2024 at 8:56 AM
Re: *EXTERNAL*Re: Working Together for a Safer Bryan County

To: Carter Infinger, Cc: Ben Taylor, Lori Tyson, Noah Covington, Wade Price, Dallas Daniel, Gene Wallace, Patrick Kisgen & 1 more Details

Dear Chairman Infinger,

Thank you for your response. I would like to clarify that my previous emails had nothing to do with litigation and everything to do with my role as a concerned citizen of Bryan County. Now that I am no longer employed by the county and therefore not constrained by department policy, I am reaching out to you as a resident who is deeply invested in the well-being of our community.

My primary focus is on addressing the critical issues within our emergency services that directly impact the safety and well-being of Bryan County residents. I believe these concerns warrant immediate attention and action, regardless of any ongoing litigation.

Furthermore, I am compelled to address a recent development that further impacts transparency and public trust. Both the official Bryan County Facebook page and the Bryan County Emergency Services Facebook page have disabled comments on some of their posts. This action directly violates the First Amendment rights of our citizens and raises significant issues regarding transparency and accountability.

As you are aware, government social media pages are often considered public forums, and blocking comments can be seen as unconstitutional viewpoint discrimination. Transparency and open communication are essential for maintaining trust between the government and the community. Silencing citizens' voices, especially when it comes to critical issues like emergency management and public safety, is unacceptable.

I respectfully request that you:

1. **Restore the ability for citizens to comment on the Bryan County and Bryan County Emergency Services Facebook pages.**
2. **Ensure that any future moderation policies are content-neutral, narrowly tailored to serve a significant governmental interest, and leave open ample alternative channels for communication.**

I hope you will join me in taking the necessary steps to address the pressing issues within our emergency services and to uphold the constitutional rights of Bryan County residents. Our community deserves leadership that prioritizes safety, accountability, and the well-being of our first responders.

Thank you for your attention to this urgent matter. I look forward to your prompt response and action.

Best regards,

Joel B. Paskauskas III
Editor-in-Chief
We The People of Bryan County
+1 (912) 433-1988
jpaskauskas5@gmail.com

CC: Aaron M. Kappler, County Attorney

[See More](#)